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EXEMPT FROM FILING FEE
[GOV. CODE § 6103]
FILED
TULARE COUNTY SUPERIOR COURT
VISALIA DIVISION

SEP 02 2010

LARAYNE CLEEK, CLERK
Rachael M. Miller

SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF TULARE

10 PORTERVILLE IRRIGATION DISTRICT,
11 Plaintiff,

No. 10-238017

12 vs.

[PROPOSED] JUDGMENT
VALIDATING AND CONFIRMING
CONTRACT AND PROCEEDINGS

14 ALL PERSONS INTERESTED IN THE
MATTER OF THE VALIDITY OF THAT
15 CERTAIN CONTRACT, ENTITLED
"UNITED STATES DEPARTMENT OF
16 INTERIOR, BUREAU OF RECLAMATION,
CENTRAL VALLEY PROJECT,
17 CALIFORNIA, CONTRACT BETWEEN
THE UNITED STATES AND
18 PORTERVILLE IRRIGATION DISTRICT
PROVIDING FOR PROJECT WATER
19 SERVICE AND FACILITIES
REPAYMENT," CONTRACT NO. 175r-
20 4309D, OR IN THE PROCEEDINGS
LEADING UP TO, AND INCLUDING, THE
21 AUTHORIZATION OF THE EXECUTION
AND THE APPROVAL OF SAID
22 CONTRACT,

[Wat. Code § 22670; Code Civ.
Proc. § 860 et seq.]

23 Defendants.

25 Upon reading and considering the unopposed Ex Parte Application for
26 Judgment requesting the validation and confirmation of Plaintiff
27 PORTERVILLE IRRIGATION DISTRICT'S ("DISTRICT") certain contract
28 entitled "UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF

LAW OFFICES
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1 RECLAMATION, CENTRAL VALLEY PROJECT, CALIFORNIA, CONTRACT
2 BETWEEN THE UNITED STATES AND PORTERVILLE IRRIGATION
3 DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM FRIANT
4 DIVISION AND FOR FACILITIES REPAYMENT,” CONTRACT NO. 175r-4309D
5 (hereinafter referred to as the “Repayment Contract”); that due proof having
6 been made by satisfactory evidence submitted to the Court that the
7 DISTRICT caused the above-captioned action to be brought within the
8 proper time; that Summons was issued herein and was duly published, as
9 ordered by the Court and pursuant to California Government Code §6063,
10 in *The Valley Voice*, designated a newspaper of general circulation published
11 in the County of Tulare, State of California, as designated by the Court in its
12 jurisdiction; that jurisdiction of the subject matter of this action and all
13 persons interested has been duly obtained by the Court and is complete;
14 that no person appeared in said action to contest the validity of the
15 Repayment Contract or any proceeding taken for the authorization of
16 approval thereof or any other matters involved in said approval proceedings.
17 And it further appearing that the time for such appearance and contest has
18 expired and the default of all defendants has been duly entered, it is now,
19 upon application of the DISTRICT, ORDERED, ADJUDGED AND DECREED
20 AS FOLLOWS THAT:

1. The proceedings leading up to, and including, the authorization of the execution and the approval of the Repayment Contract by the DISTRICT’s Board of Directors, are hereby validated and confirmed, and each and all provisions of the Repayment Contract are hereby approved, confirmed and declared lawful, valid and upon execution binding upon the respective parties thereto.

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2. All persons are permanently enjoined from institution of any action or proceeding raising an issue as to whether the judgment of this Court is binding and conclusive.
3. The Case Management Conference set for October 28, 2010, in this matter is hereby vacated.

Dated: 9-2-2010



JUDGE OF THE SUPERIOR COURT

The document to which this certificate is affixed is a full true and correct copy of the original on file and of record in my office.

Attest: 9-3-10 , _____

LaRayne Cleek, Clerk of the Superior Court of the State of California in and for the County of Tulare.

By *Edmund J. [Signature]* Deputy

